

MORRISON & FOERSTER LLP

250 West 55th Street
New York, New York 10019
Telephone: (212) 468-8000
Facsimile: (212) 468-7900
Norman S. Rosenbaum
Jordan A. Wishnew
Jessica J. Arett

*Counsel for The ResCap Borrower Claims
Trust*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----)	
In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
-----)	

**NOTICE OF FILING OF STIPULATION ADJOURNING HEARING ON
RESCAP BORROWER CLAIMS TRUST'S SEVENTY-FIFTH OMNIBUS
OBJECTION TO CLAIMS (NO LIABILITY BORROWER CLAIMS) SOLELY
AS IT RELATES TO THE CLAIM FILED BY MICHAEL BOYD (CLAIM NO.
960) TO DECEMBER 10, 2014 AT 10:00 A.M. (PREVAILING EASTERN TIME)**

PLEASE TAKE NOTICE that the ResCap Borrower Claims Trust has filed the
attached *Stipulation Adjourning Hearing on ResCap Borrower Claims Trust's Seventy-
Fifth Omnibus Objection to Claims (No Liability Borrower Claims) Solely as it Relates to
the Claim Filed by Michael Boyd (Claim No. 960) to December 10, 2014 at 10:00 a.m.
(Prevailing Eastern Time)*.

Dated: November 7, 2014
New York, New York

/s/ Norman S. Rosenbaum
Norman S. Rosenbaum
Jordan A. Wishnew
Jessica J. Arett
MORRISON & FOERSTER LLP
250 West 55th Street
New York, New York 10019
Telephone: (212) 468-8000
Facsimile: (212) 468-7900

*Counsel for The ResCap Borrower Claims
Trust*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----)	
In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
-----)	

**STIPULATION ADJOURNING HEARING ON RESCAP BORROWER CLAIMS
TRUST’S SEVENTY-FIFTH OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY
BORROWER CLAIMS) SOLELY AS IT RELATES TO THE CLAIM FILED BY
MICHAEL BOYD (CLAIM NO. 960) TO DECEMBER 10, 2014 AT 10:00 A.M.
(PREVAILING EASTERN TIME)**

This stipulation (the “Stipulation”) is made and entered into between the ResCap Borrower Claims Trust (the “Borrower Trust”) established pursuant to the terms of the Plan (as defined below) in the above-captioned bankruptcy cases (the “Chapter 11 Cases”) and Michael E. Boyd (“Boyd”, and together with the Borrower Trust, the “Parties”), through their respective counsel, if any.

WHEREAS, on or about October 4, 2012, Boyd filed a proof of claim in the Chapter 11 Cases, designated by KCC on the Claims Register as Claim No. 960 (the “Proof of Claim”), asserting a secured claim against Debtor GMAC Mortgage, LLC (“GMACM”) in the amount of \$186,000.00; and

WHEREAS, on December 11, 2013, the Court entered the *Order Confirming Second Amended Joint Chapter 11 Plan Proposed by Residential Capital, LLC et al. and the Official Committee of Unsecured Creditors* approving the terms of the Chapter 11 plan, as amended (the “Plan”), in the Chapter 11 Cases [Docket No. 6065]. On December 17, 2013, the effective date of the Plan occurred and, among other things, the Borrower Trust was established

[Docket No. 6137]; and

WHEREAS, the Plan provides for the creation and implementation of the Borrower Trust, which will, among other things, “direct the processing, liquidation and payment of the Allowed Borrower Claims in accordance with the Plan, and the distribution procedures established under the Borrower Claims Trust Agreement.” *See* Plan, Art. IV.F. Further, pursuant to the Borrower Claims Trust Agreement:

The Borrower Claims Trustee, or one or more Borrower Claims Trust Agents . . . shall be authorized to resolve, on behalf of the Borrower Claims Trust, all Disputed Borrower Claims without further Bankruptcy Court order

Borrower Claims Trust Agreement, Art. VI, § 6.2 [Docket No. 6136]; and

WHEREAS, on September 17, 2014, the Borrower Trust filed the *ResCap Borrower Claims Trust’s Seventy-Fifth Omnibus Objection to Claims (No Liability Borrower Claims)* (the “Seventy-Fifth Omnibus Objection”)¹ [Docket No. 7552] objecting to, among other claims, the Proof of Claim; and

WHEREAS, on October 17, 2014, Boyd filed an *Answer in Opposition of Michael Boyd, Secured Claimant #960 to ResCap Borrower Claims Trust’s Seventy-Fifth Omnibus Objection to Claims (No Liability Borrower Claims) (the “Omnibus Objection”)* [Docket No. 7701] (entered on the docket on October 30, 2014); and

WHEREAS, the Borrower Trust disputes the validity of the Proof of Claim; and

NOW, THEREFORE, in consideration of the foregoing, the Parties hereby stipulate and agree as follows:

¹ Defined terms used but not defined herein shall have the meanings ascribed to such terms as set forth in the Seventy-Fifth Omnibus Objection.

1. The Recitals form an integral part of this Stipulation and are incorporated fully herein.

2. The Parties agree to set the hearing on the Seventy-Fifth Omnibus Objection as it relates to the Proof of Claim for December 10, 2014 at 10:00 am eastern standard time.

3. The Parties represent and warrant that each has full power and authority to enter into and perform under this Stipulation.

4. This Stipulation may be executed in any number of counterparts by the Parties, all of which taken together shall constitute one and the same agreement. Any of the Parties may execute this Stipulation by signing any such counterpart, and each such counterpart, including a facsimile or other electronic copy of a signature, shall for all purposes be deemed to be an original.

5. This Stipulation shall be binding on the Parties (as well as any successor in interest) upon execution, and may not be altered, modified, changed or vacated without the prior written consent of the Parties or their respective counsel, as applicable.

6. The Court shall retain jurisdiction with respect to this Stipulation.

(Signature Page to Follow)

Dated: November 7, 2014

/s/

Norman S. Rosenbaum

Jordan A. Wishnew

Jessica J. Arett

MORRISON & FOERSTER LLP

250 West 55th Street

New York, New York 10019

Telephone: (212) 468-8000

Facsimile: (212) 468-7900

*Counsel for The ResCap Borrower Claims
Trust*

Dated: November , 2014

/s/

Michael E. Boyd

5439 Soquel Drive

Soquel, CA 95073

Telephone: (408) 891-9677

Acting Pro Se